

**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**Oakland Venue**

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**Request for Early Termination of Supervision**

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**Person Under Supervision**

Richard Thomas Grant

**Docket Number**

0971 4:14CR00590-001 PJH

**Name of Sentencing Judge:** The Honorable Phyllis J. Hamilton  
Chief United States District Judge

**Date of Original Sentence:** November 9, 2016

**Original Offense**

**Counts One through Three:** Tax Evasion; 21 U.S.C. § 952, a Class D Felony

**Original Sentence:** 33 months imprisonment, followed by three years supervised release

**Special Conditions:** \$402,457.39 in restitution, \$300 special assessment, \$7,500 fine, cooperate with the IRS, no new lines of credit/debt, provide financial documentation, mental health treatment, DNA, no firearms, search, and no contact with Peymon Mottahedeh.

**Prior Form(s) 12:** None

**Type of Supervision**

Supervised Release

**Assistant U.S. Attorney**

Colin S. Sampson

**Date Supervision Commenced**

May 31, 2019

**Defense Counsel**

William Allan Cohan (Retained)

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**Petitioning the Court to Take Judicial Notice**

Petitioning the Court to consider the client for early termination of supervision.

**Cause**

On November 9, 2016, Richard Grant was sentenced by Your Honor in the Northern District of California, for the offense of Tax Evasion. Upon release from imprisonment, Mr. Grant began his term of supervised release in the Middle District of Florida on May 31, 2019. Mr. Grant has completed approximately one year of his three year term of probation, with completion scheduled for May 30, 2022. During this time, Mr. Grant has been cooperative and compliant. He has paid his special assessment, fine, and restitution in full. Further, Mr. Grant satisfied

his special conditions of supervision, which include mental health treatment, not maintain a position of fiduciary capacity without permission, no firearms, provide access to financial disclosures, no new lines of credit or accrual of new debt, cooperate with the IRS, timely and accurately file and pay IRS taxes.

Mr. Grant currently resides in Melbourne, Florida, and had maintained this residence since his release from imprisonment on May 31, 2019. He has demonstrated stability and compliance thus far while on supervision. Mr. Grant is not formally employed at this time; however, he spends his time caring for his elderly parents. Mr. Grant depends on social security for his source of income.

During the time of the offense conduct, as noted in the presentence report, Mr. Grant was involved in an expansive case of evading payment of his federal taxes. Mr. Grant pled not guilty, however was found guilty by jury trial on all three counts. During this past year on supervision, there has been no evidence that Mr. Grant continues to engage in similar behavior nor additional criminal conduct. According to his current supervising officer, Mr. Grant filed his 2018 taxes shortly after his release from imprisonment. Mr. Grant filed for an extension with respect to his 2019 taxes.

The Probation Office currently utilizes the evidence-based practice of the Risk Needs Responsivity Principle in supervising clients. As part of this principle, the Post-Conviction Risk Assessment Tool (PCRA) is utilized to determine the risk of recidivism posed by an individual. Based on information provided by both the office and the client, a resulting risk score of High, Moderate, Low/Moderate, or Low is determined. In addition to the overall risk level, the assessment tool also identifies specific dynamic risk factors for each client, including cognitions, education/employment, alcohol/drugs, and social networks, as well as considering the static risk factor of criminal history. The tool looks at responsivity factors as well, which may impact supervision goals. The information allows officers to target specific areas where the most positive impact can be made and where resources should be directed for the best outcome.

Mr. Grant has been considered low risk while on supervision. He has continued to do well under this level of supervision and has maintained compliance. Evidence shows low intensity supervision is appropriate in these cases, and eventual early termination. Based on the above, and in light of the fact that his supervising officer in the Middle District of Florida has requested such, it is respectfully recommended that Mr. Grant's probation be terminated at this time.

18 U.S.C. § 3564(c) permits the Court to terminate a term of probation in felony cases after the expiration of one year of supervision, if the Court is satisfied that such action is warranted by the conduct of a client and is in the interest of justice. The Assistant United States Attorney for this case was contacted regarding early termination of supervised probation for Mr. Grant and indicated no objections, with the assumption that Mr. Grant will continue to be compliant with filling his taxes and cooperating with the IRS.

Respectfully submitted,

Reviewed by:



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Gina Wickersheim  
United States Probation Officer  
Date Signed: June 30, 2020



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Jennifer J. James  
Supervisory U.S. Probation Officer

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THE COURT ORDERS:

- ☒ Early termination of supervision granted
- ☐ Early termination of supervision denied
- ☐ Other:

July 1, 2020  
\_\_\_\_\_  
Date

*/s/ Phyllis J. Hamilton*  
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The Honorable Phyllis J. Hamilton  
Chief United States District Judge